

# THE WEITZ LAW FIRM, P.A.

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July 21, 2022

**VIA CM/ECF**

Honorable Judge Mary Kay Vyskocil  
United States District Court  
Southern District of New York  
500 Pearl Street - Courtroom 18C  
New York, NY 10007

**Re: Velasquez v. NC Affiliated JV I, LLC et al., d/b/a By Next, et al.  
Case 1:21-cv-03585-MKV**

Dear Judge Vyskocil:

Pursuant to the Order to Show Cause [D.E. 9], dated July 18, 2022, whereby Plaintiff is to show cause no later than July 21, 2022, why this case should not be dismissed for failure to prosecute, and why the Court should not impose the lesser sanctions, counsel for Plaintiff states the following.

The original service of the Complaint to the Defendants was done by the Department of State, Division of Corporations who serve via Certified Mail. Though the corporation addresses should be updated every two years by the corporations, they are not necessarily updated. Further, since, they were served by Certified Mail, the undersigned does not know whether or not the Defendants actually received service. In summary, the undersigned does not know why the Defendants did not respond to the Complaint's initial service. Whether they didn't receive the certified mail or the address was not current. Therefore, we will be investigating the address of the Defendants and to serve them through an independent process server. In this manner, the undersigned can be assured the Defendants will be served.

The undersigned, therefore, requests an extension of time of 30 days regarding the Order to Show Cause for Failure to Prosecute and thereby permit time for the Defendants to be located and served in order for the Defendants to be able to contact the undersigned and make their appearance in this matter.

This Court may wish to take notice that this is the first request for extension of time with regard to the said Order to Show Cause. Thank you for your attention to this request.

Sincerely,

THE WEITZ LAW FIRM, P.A.

By: /s/ B. Bradley Weitz  
B. Bradley Weitz, Esq. (BW9365)